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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,730	05/23/2000	David Creemer	PAILM-2976.US.P	4739

7590 04/02/2003

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/02/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

PLG

Office Action Summary

Application No.

09/576,730

Applicant(s)

CREEMER, DAVID

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-16 have been examined

Priority

2. The drawings in this application are objected to by the Draftsperson as informal. Any drawing corrections requested, but not made in the prior application should be repeated in this application if such changes are still desired. If the drawings were changed and approved during the prosecution of the prior application, a petition may be filed under 37 CFR 1.182 requesting the transfer of such drawings, provided the parent application has been abandoned. However, a copy of the drawings as originally filed must be included in the 37 CFR 1.60 application papers to indicate the original content.

Drawings

3. The drawings are objected to because of the following informalities.
 - a. Please provide English descriptions to item 54 in figure 2.
 - b. Please provide English description to all elements in Figure 3-5.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

- a. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of **50 to 150 words**. It is important that the abstract **not exceed 150 words** in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-16 rejected under 35 U.S.C. 103(a) as being unpatentable over in combination of Abdous et al, US Patent Number 5,577,210, herein after Abdous, and Boothby, US Patent Number 6,405,218, and Schwitters et al. US Patent Number 6,526,413, Hereinafter Schwitters. .

7. Referring to claim 1, Abdous has taught a data processing system comprising:

a bootstrap server (item 1 figure 1 and Col 2 lines 3-4) having an extended set of communication functions stored thereon (Col 2 lines 9-15);

a personal digital assistant (Item 21 figure 1, Col 2 lines 3-4, at least one terminal, this electronic terminal which is a digital device that help a person to organized or computing data could be named a personal digital assistant.) having a core set of communication function in non-volatile memory thereon (this is a inherent feature, a digital terminal required software in the non-volatile in order to communicate with the server, without this core set of communication function. The terminal is only a non operational object,) said core set of communication function operable to allow said personal digital assistant to communicate with said bootstrap server (Col 2 lines 4-5, the terminal is remotely booted by the server.)

wherein said bootstrap server is for transferring said extended set of communication functions to said personal digital assistant (Col 2 lines 3-14);

Abdous has not taught an enterprise server operable to connect to said personal digital assistant, wherein said personal digital assistant and said enterprise server communicate and transfer information with said personal digital assistant using said extended set of communication.

However, Schwitters has taught enterprise server (item 24 figure 1) operable to connect to said personal digital assistant (item 22 figure 1), wherein said personal digital assistant and said enterprise server communicate and transfer information with said personal digital assistant using a extended set of communication (a software is require for server and PDA to communicate.).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have Abdous's terminal (PDA) to be able connected to a enterprise server, which is operable to connect to Abdous's terminal, wherein said terminal and said enterprise server communicate and transfer information with said terminal using a extended set of communication as described by Schwitters,

A person with ordinary skill in the art would have been motivated to make the modification to Abdous because PDA requires a set of communication functions in order to communicate with the enterprise server, and the bootstrap server of Abdous is transferring data to the PDA, a person with ordinary skill in the art would realized that the required data to communicate between PDA and enterprise server could also be saved in the bootstrap server to backup the data or software required to communicate between PDA and enterprise server.

8. Referring to claim 2, Abdous has further taught wherein said bootstrap server and said personal digital assistant are operable to communicate via a Ethernet connection (Col 3 lines 54-56)

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Abdous has not taught the communication via a telephone line. However, Boothby has taught the communication between the server and personal digital assistant could be connected via a telephone lines.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have Abdous's bootstrap server and terminal to communicate via a telephone line.

A person with ordinary skill in the art would have been motivated to make the modification to Abdous because bootstrap server and the terminal of Abdous requires a connection means for communication and Boothby provides a variety of connection means for server and remote computers to connects. It would be obvious for Abdous to use Boothby's connection means including telephone lines to adapt more communication methods.

9. Referring to claim 3, Abdous combined with Schwitters has taught an invention as described in claim 1, Schwitters has further taught wherein said personal digital assistant communicates with said enterprise server over the Internet (see Figure 1 item 24);
10. Referring to claim 4, Abdous has further taught wherein said core set of communication functions is synchronization logic (Col 2 lines 9-11, when the data in the server side is being recopied into an image file and send to a terminal is considered as synchronizing.)
11. Referring to claim 5, claim 5 encompasses the same scope of the invention as that of the claims 1 and 4. Therefore, claim 5 is rejected for the same reason as the claims 1 and 4.
12. Referring to claim 6, Abdous has further taught wherein step c) comprises the step of:

transferring an extended set of communication functions from said bootstrap server to said portable computer system (Col 2 lines 3-14);

13. Referring to claim 7, claim 7 encompasses the same scope of the invention as that of the claim 2. Therefore, claim 7 is rejected for the same reason as the claim 2.

14. Referring to claim 8, Abdous combined with Schwitters has taught an invention as described in claim 5. Abdous combined with Schwitters has not taught wherein said data was backed up on said enterprise server from a pervious synchronization between said enterprise server and said portable computer system.

However, Boothby has taught synchronizing the records of the local and remote databases by using a history file ... which records have been changed, since the previous synchronized and which records of the two databases correspond to one another (Col 5 lines 43-51).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have Schwitters's data backed up on its server from a pervious synchronization between said server and said portable computer system.

A person with ordinary skill in the art would have been motivated to make the modification to Abdous and Schwitters because having the memory in both portal computer and the enterprise server synchronized would allow two systems to be more compatible to each other (Col 1 lines 40-54).

15. Referring to claim 9, Abdous has further taught wherein said portable computer system is a personal digital assistant (Item 21 figure 1, Col 2 lines 3-4, at least one terminal, this

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electronic terminal which is a digital device that help a person to organized or computing data could be named a personal digital assistant.)

16. Referring to claim 10, claim 10 encompasses the same scope of the invention as that of the claim 3. Therefore, claim 10 is rejected for the same reason as the claim 3.

17. Referring to claims 11-16, claims 11-16 encompass the same scope of the invention as that of the claims 5-10. Therefore, claims 11-16 are rejected for the same reason as the claims 5-10.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

19. Huang et al., US Patent Number 6,393,434, has taught a system for synchronizing data using finegrained synchronization plans.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-3391. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz R can be reached on (703) 305-9648. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 746-7239

for regular communications and (703) 746-7238 for After Final communications.

22. Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Liang-che Alex Wang *LCW*
March 28th, 2003

Ayaz Sheikh
AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100